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April 26, 2012

Michigan State Senate
Senate Regulatory Reform Committee
205 Farnum Building
P.O. Box 30036
Lansing, MI 48909

Re: House Bill 4561

Chairman Rocca and Members of the Senate Regulatory Reform Committee,

My name is Corey Roblee. I am the Senior Regional Manager of the Government Relations Department and your liaison to the International Code Council (ICC). The ICC, a private, not for profit organization association dedicated to building safety and fire prevention, develops the model codes to construct residential and commercial buildings, including homes and schools. The mission of the Code Council is to provide the highest quality codes, standards, products, and services for all concerned with the safety and performance of the building environment.

I am appearing before you today to express ICC's concerns with House Bill 4561 (HB 4561). I am joined by many stakeholders throughout the State of Michigan including over 850 code and fire officials, 20 state and local Chapters of the ICC, and various public interest groups who also oppose this legislation.

The negative impacts of House Bill 4561 will be considerable. Michigan is one of many states that values public safety and the protection of our built environment by updating building, fire, and energy codes every three years. By adopting such codes, Michigan provides the safest and economically prudent climate for its citizens. HB 4561 will place Michigan well behind the national standard on building safety since it will limit the use of new construction standards or methods as well as utilizing newly developed cost-effective building materials.

As seen in recent months, severe weather has ravaged the Midwestern states including the State of Michigan. Updated building codes include life saving measures that further protect citizens from adverse weather conditions. The most recent code updates address these issues by referencing upgraded residential and commercial hurricane and high wind construction, storm shelters, and wall bracing standards, and comprehensive provisions for conventional light frame construction for wind speeds exceeding 100 mph. HB 4561 would prevent these important code updates from being adopted, applied, and enforced in Michigan.

HB 4561 also could increase mitigation costs for disaster relief. Updated building codes help sustain structures in the event of a natural disaster and without them the costs of relief and recovery escalates exponentially.

A lack of updating your building codes can result in a downgrade of ISO ratings, which could increase insurance premiums for communities. This also has a negative impact on attracting business to Michigan, as companies looking to base themselves in-state may opt to locate elsewhere to avoid paying higher insurance premiums.

Homes built with the most current and up to date codes save significant dollars on energy usage as well. Research studies have shown that home owners save considerably on their energy bills, negating the argument that newly developed codes unnecessarily increase the cost of construction. The Building Codes Assistance Project (BCAP) has issued many reports on this caveat and I encourage you to carefully review their analyses.

This legislation will impair Michigan-based industry as many of these companies manufacture energy efficient products. Significant resources are invested to become market leaders in a growing industry. Extending the date of adoption harms these companies as it hinders their ability to bring new energy efficient products to market.

HB 4561 creates unnecessary administrative expenses and impairs Michigan's ability to effectively regulate the safety and efficiency of buildings. Movement to a six-year cycle will create much confusion and additional regulatory review. The code updates are carefully integrated documents meant to complement each other every three years.

The development of the ICC model codes is completely subsidized by ICC from revenues generated from the sale of our publications and services. As the new updated codes are published, Michigan purchases code books and related resources at a discounted rate. The Code Council maintains a long-standing relationship with Michigan as a publisher of the Michigan-specific codes and standards enabling the State to purchase new resources at a significantly lower rate.

The ICC code development cycle is a three-year consensus based process, based upon specific changes recommended by anyone wishing to participate in the process. These proposals are deliberated by representatives from virtually every affected industry or organization in addition to government officials. However, final approval is reserved for government officials appointed by their jurisdictions, and responsible for the administration and enforcement of the codes in those respective jurisdictions.

Michigan currently benefits from the most recent and up to date building safety and efficiency requirements developed by the nation's leading building scientists, fire and life safety officials, home builders, contractors, commercial builders, architects, structural and mechanical engineers, product manufacturers, and associations. Current statute requires that Michigan update its building and life safety codes every three years, which coincides with the national model code cycle. HB 4561 will change this process preventing the State from its ability to update the codes as necessary. New and emerging technologies, building materials, and cost effective construction methods are just a few of the many advantages to adopting new codes.

It is our belief that HB 4561 will create a greater burden on the taxpayers and businesses, and put at risk the safety of its citizens by extending the timing of updating your building and life safety codes.

The ICC respectfully requests that this Committee carefully consider the negative impact of HB 4561 on the States' ability to attract new business, provide affordable, safe, and energy efficient housing, and ensure the public safety of its communities where we live, work, and play.

Thank you for your time. I am happy to answer any questions that you may have.

Sincerely,



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